

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

GREEN MOUNTAIN FINANCIAL )  
FUND, LLC, )  
                               )  
                               Plaintiff, )  
                               )  
vs.                         )                          1:09-cv-1216-SEB-TAB  
                               )  
LORI RAPPAPORT LACROIX, et )  
al.,                         )  
                               )  
Defendants/Third Party )  
Plaintiffs,                 )  
                               )  
vs.                         )  
                               )  
MARGUERITE DOWNS )  
RAPPAPORT, et al.,         )  
                               )  
Third Party Defendants. )

E N T R Y

1. The renewed motion to vacate the Entry of September 27, 2011 filed by Lori Rappaport LaCroix and Lori Rappaport LaCroix, Trustee of the Trust, [294], is **denied**. See *Patel v. Gonzales* 442 F.3d 1011, 1015-16 (7th Cir. 2006) (“A motion to reconsider asks that a decision be reexamined in light of additional legal arguments, a change of law, or an argument that was overlooked earlier . . .”).

2. Lori Rappaport LaCroix has filed a motion to disqualify Dennis Stilger, counsel for defendants Barry Bohannon and John George, alleging that he will be a material witness in this case. Rule 3.7 of the Indiana Rules of Professional Conduct provides the following:

- (a) A lawyer shall not act as advocate at a trial in which the lawyer is likely to be a necessary witness unless:
  - (1) the testimony relates to an uncontested issue;
  - (2) the testimony relates to the nature and value of legal services rendered in the case; or
  - (3) disqualification of the lawyer would work substantial hardship on the client.
- (b) A lawyer may act as advocate in a trial in which another lawyer in the

lawyer's firm is likely to be called as a witness unless precluded from doing so by Rule 1.7 or Rule 1.9.

Lori and defendants Bohannon and George shall have **through November 4, 2011**, in which to further discuss their position on the motion to disqualify. They should include a discussion of the application of Rule 3.7.

3. Each of the third party defendants shall have **through November 14, 2011**, in which to summarize briefly the claims against them in the third party complaint and their defenses to those claims.

**IT IS SO ORDERED.**

Date: 10/25/2011

Distribution:

All electronically registered counsel

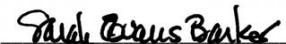
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SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana